

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS

MACK CALVIN,	§
WILLIAM MELCHIONNI, and	§
CLAUDE TERRY, individually	§
and on behalf of a class of	§
similarly situated persons	§
Plaintiffs	
v.	§
No. SA-14-CA-667	
SAN ANTONIO SPURS, LLC,	§
PACERS BASKETBALL, LLC,	§
THE DENVER NUGGETS LIMITED	§
PARTNERSHIP, BROOKLYN NETS LLC,	§
HEATHER STAPLES, and the	§
AMERICAN BASKETBALL ASSOCIATION	§
PLAYERS' RETIREMENT PLAN	§
Defendants	
	§
	§

**FINAL ORDER AND JUDGMENT**

On March 2, 2015, came on for hearing a motion to approve the class action settlement in the above-styled and numbered cause. The Court, having heard the evidence and the arguments of counsel, makes the following findings:

1. The Court has jurisdiction over the subject matter and all parties, including all members of the Class.
2. The Class Notice and Publication Notice provided adequate notice of these proceedings to all members of the Settlement Class and these notices fully satisfied the requirements of Rule 23, Federal Rules of Civil Procedure, and the requirements of due process. Further, the Defendants have complied in full with the notice

- requirements of the Class Action Fairness Act of 2005.
3. Class Counsel appointed by the Court have fairly and adequately represented the interests of the members of the Class.
  4. The Settlement embodied in the Stipulation, which provides for the payment of One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the Class by the Defendants, was negotiated vigorously and at arms length by Counsel for the parties; it was not the result of collusion nor obtained through fraud or misrepresentation; and the interests of the named Plaintiffs are identical to the interests of the Plan and all members of the Settlement Class.
  5. The Settlement is a fair, adequate, and reasonable settlement and compromise, and should be approved by the Court.
  6. The litigation expenses incurred by Class Counsel in the prosecution of this action in the amount of Fifty-Three Thousand Two Dollars and 69/100 (\$53,002.69) are reasonable and should be paid out of the Settlement Fund.
  7. Class Counsel have pursued this action diligently; the work they performed on behalf of the Class was of high quality; they have obtained substantial monetary benefits for the Class Members; and they are entitled to an award

of attorneys' fees equal to one-third of the Settlement Fund, or Five Hundred Thousand Dollars (\$500,000.00).

8. Class Members and named Plaintiffs Calvin, Melchionni, and Terry are entitled to case contribution awards in the amount of Ten Thousand Dollars (\$10,000.00) each, to be paid from the Settlement Fund.
9. The plan of allocation for the Settlement Fund is fair, adequate, and reasonable, and should be approved by the Court.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Class Action Settlement be, and it is hereby, APPROVED by the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Class Counsel be, and they are hereby, AWARDED their reasonable attorneys' fees in the amount of Five Hundred Thousand Dollars (\$500,000.00), to be paid out of the Settlement Fund.

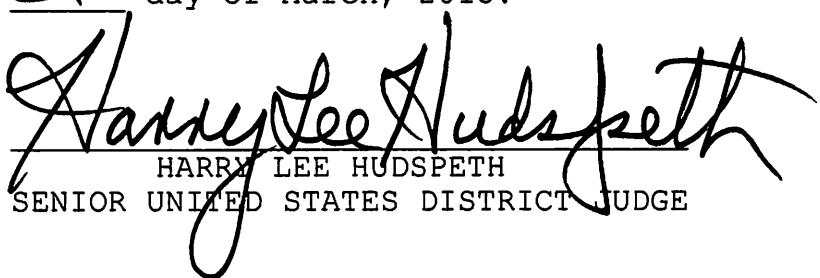
IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Class Counsel be, and they are hereby, AWARDED Fifty-Three Thousand and Two Dollars and 69/100 (\$53,002.69) as reimbursement for litigation expenses, to be paid from the Settlement Fund.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Mack Calvin, William Melchionni, and Claude Terry be, and they are hereby, AWARDED case contribution awards of Ten Thousand Dollars (\$10,000.00) each, to be paid from the Settlement Fund.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that based on the Settlement approved by the Court, this cause be, and it is hereby, DISMISSED WITH PREJUDICE. The Court retains jurisdiction to enforce the Settlement.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that all members of the Settlement Class be, and they are, hereby RESTRAINED AND ENJOINED from pursuing any action in any court asserting any claim which is part of the Class Action Settlement approved by the Court in this case.

SIGNED AND ENTERED this 2<sup>nd</sup> day of March, 2015.

  
HARRY LEE HUDSPETH  
SENIOR UNITED STATES DISTRICT JUDGE